

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

CASE NO. 16cr798 WQH

Plaintiff, ORDER

NICHOLAS JAMES PETERS.

Defendant.

The matter before the Court is the joint motion to adjust custody credits (ECF No. 85) filed by Defendant.

On December 13, 2017, United States District Judge Jeffrey T. Miller signed a Petition for Warrant or Summons for Offender under supervised release in *United States v. Nicholas James Peters*, Case No. 17 CR 945-JM based upon allegations of unlawful use of controlled substance on October 3, 2017 and November 22, 2017.

On December 18, 2017, Defendant was arrested on the probation violation petition in 17 CR 945-JM.

On December 20, 2017, this Court signed a Petition for Warrant or Summons for Offender under supervised release in this case based upon allegations of unlawful use of controlled substance on October 3, 2017 and November 22, 2017.

On December 22, 2017, Defendant was arrested on the probation violation petition in this case.

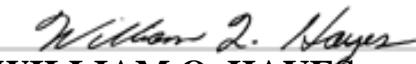
28 On February 21, 2017, Defendant and the United States moved the Court in this

1 case to order the Clerk's Office to administratively change the date of arrest in this case
2 to December 18, 2017 in order to deem the date of arrest to match the date of arrest in
3 17 CR 945-JM.

4 This Court signed the Petition for Warrant or Summons for Offender under
5 supervised release in this case on December 20, 2017. Defendant was arrested
6 December 22, 2017 on this supervised release violation petition. Prior to his arrest in
7 this case, Defendant was in custody in 17 CR 945-JM. The Court declines to deem
8 Defendant arrested in this case on December 18, 2017 prior to the signing the Petition
9 for Warrant or Summons for Offender under supervised release. The docket accurately
10 reflects that the Defendant was arrested on this supervised release petition on December
11 22, 2017.

12 IT IS HEREBY ORDERED that the joint motion to adjust custody credits (ECF
13 No. 85) filed by Defendant is denied.

14 DATED: February 15, 2018

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16 **WILLIAM Q. HAYES**
17 United States District Judge

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